

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

Deborah S. Hunt
Clerk

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Filed: September 02, 2022

Mr. Richard W. Nagel
U.S. District Court
for the Southern District of Ohio
100 E. Fifth Street
103 Potter Stewart U.S. Courthouse
Cincinnati, OH 45202

Re: Case No. 21-3975, *James Graham, et al v. Nelson Peltz, et al*
Originating Case No. 1:16-cv-01153

Dear Clerk,

Enclosed is a copy of the mandate filed in this case.

Sincerely yours,

s/Robin L Baker, Case Manager for
Julie A. Connor, Case Manager
Direct Dial No. 513-564-7033

cc: Mr. Eric K. Combs
Mr. William K. Flynn
Mr. Evan Glustrom
Mr. Stuart Jay Guber
Mr. John Ludlow Latham
Ms. Melinda Nicholson
Ms. Cara Peterman
Ms. Courtney Quiros
Mr. Roger Sachar
Ms. Nina M. Varindani
Mr. Richard Stuart Wayne

Enclosure

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

No: 21-3975

Filed: September 02, 2022

In re: THE WENDY'S COMPANY SHAREHOLDER DERIVATIVE ACTION

JAMES GRAHAM, Derivatively on behalf of Wendy's Company

Plaintiff - Appellee

THOMAS CARACCI, Derivatively on behalf of Wendy's Company

Plaintiff - Appellant

v.

NELSON PELTZ; PETER W. MAY; EMIL J. BROLICK; CLIVE CHAJET; EDWARD P. GARDEN; JANET HILL; JOSEPH A. LEVATO; J. RANDOLPH LEWIS; PETER H. ROTHSCHILD; DAVID E. SCHWAB, II; ROLAND C. SMITH; RAYMOND S. TROUBH; JACK G. WASSERMAN; MICHELLE J. MATHEWS-SPRADLIN; DENNIS M. KASS; MATTHEW PELTZ; TODD A. PENEGOR; ROBERT D. WRIGHT; WENDY'S COMPANY

Defendants - Appellees

MANDATE

Pursuant to the court's disposition that was filed 08/11/2022 the mandate for this case hereby issues today.

COSTS: None